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| 10/733,759 | 12/12/2003 | Yuval Mayron | 035741-0103 | 8746 |
| 22428 | 7590 | 04/27/2005 | EXAMINER | |
| FOLEY AND LARDNER SUITE 500 3000 K STREET NW WASHINGTON, DC 20007 | | | TRAN, QUOC DUC | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2643 | |

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/733,759

Applicant(s)

MAYRON, YUVAL

Examiner

Quoc D Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 26-47 is/are allowed.
- 6) ☐ Claim(s) 1-7 and 9-25 is/are rejected.
- 7) ☒ Claim(s) 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/4/04
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 5-7 and 9-25 are rejected under 35 U.S.C. 102(e) as being anticipated by De Trana et al (6,856,674).

It is noted that the present application is a continuation in part of U.S. Patent 6,738,472. Applicant present claimed subject matter, however, was not disclosed on 6,738,472. Thus, the effective date for the presently claimed subject matter is 12/12/2003.

Consider claim 1, De Trana et al teach a network architecture for enabling a first network terminal connected in a call with a second network terminal via a first circuit, to purchase calling time during the call (col. 2 line 60 – col. 3 line 16), the network architecture comprising: a first network node connected to said first network terminal (col. 4 lines 34-35); a second network node connected to said second network terminal (col. 4 lines 35-36); an account management node connected to said first network node, said account management node managing a pre-paid account associated with said first network terminal (col. 5 lines 26-30); and a call management node connected to said first network node via a signaling link, to said account management node via a communication link (col. 5 lines 3-47), and to said second network node, said call management node connecting said first network terminal with said account management node

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over a second circuit (col. 6 lines 6-14), while said second network terminal is on hold (col. 7 lines 47-54), whereby said first network terminal purchases said calling time (col. 7 lines 58-61; col. 8 lines 24-32), said call management node disconnecting said first network terminal from said account management node, when the call-credit of said pre-paid account is positive, thereby allowing said first network terminal to resume said call (col. 8 lines 50-67).

Consider claim 2, De Trana et la teach wherein said account management node monitors said call-credit during said call, and wherein said account management node sends an indication to said call management node, that said call-credit is approaching zero, when said account management node detects that said call-credit is approaching zero (col. 7 lines 24-37).

Consider claim 3, De Trana et al teach wherein said call management node sends a modified message to said first network node, for said first network node to allocate said second circuit (*i.e., connect to 2nd link for replenishing account*), wherein said call management node sends a command to said account management node, for said account management node to allocate (*i.e., bridge*) said second circuit (col. 8 lines 26-32), and wherein said call management node produces said modified message by replacing an originating identification code respective of said first network terminal, with a unique identification code respective of said account management node, and a destination identification code respective of said second network terminal, with said originating identification code (*i.e., reroute caller to service node*) (col. 8 lines 26-32).

Consider claim 5, De Trana et al teach wherein said call management node sends a modified message to said first network node, for said first network node to dis-allocate said second circuit, wherein said call management node sends a command to said account

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management node, for said account management node to dis-allocate (i.e., drop connection) said second circuit (col. 8 lines 43-46), and wherein said call management node produces said modified message by replacing a destination identification code respective of said second network terminal, with a unique identification code respective of said account management node (i.e., re-establish communication) (col. 8 lines 57-67).

Consider claim 6, De Trana et al teach wherein said account management node sends an indication to said call management node that said call-credit is positive, when said account management node detects that said call-credit is positive (col. 8 lines 50-56).

Consider claim 7, De Trana et al teach wherein said call management node includes a data structure for associating signaling destination information respective of said first network node, with signaling destination information respective of said account management node (col. 8 lines 24-32).

Consider claim 9, De Trana et al teach a network architecture for terminating a first call between a first network terminal and a second network terminal over a first circuit, when a call-credit of a pre-paid account of the first network terminal is zero (col. 2 line 60 – col. 3 line 16), the network architecture comprising: a first network node connected to said first network terminal (col. 4 lines 34-35); a second network node connected to said second network terminal (col. 4 lines 35-36); an account management node connected to said first network node, said account management node managing a pre-paid account associated with said first network terminal (col. 5 lines 26-30); and a call management node connected to said first network node via a first signaling link, to said second network node via a second signaling link, and to said account management node via a communication link (col. 5 lines 3-47), said call management

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node disconnecting said second network terminal from said second network node, by sending a first modified message to said second network node to dis-allocate said first circuit (i.e., put on hold) (col. 7 lines 47-54), said call management node establishing a second call between said first network terminal and said account management node, for said account management node to send an explanatory message to said first network terminal for terminating said first call (col. 6 lines 6-14), and said call management node terminating said first call, when said call-credit is zero (col. 8 lines 1-5), wherein said call management node produces said first modified message by replacing a destination identification code respective of said second network terminal, with a unique identification code respective of said account management node (col. 8 lines 26-32).

Consider claim 10, De Trana et al teach wherein said account management node monitors said call-credit during said first call, and wherein said account management node sends an indication to said call management node that said call-credit is zero, when said account management node detects that said call-credit is zero (col. 7 line 65 – col. 8 line 5).

Consider claim 11, De Trana et al teach wherein said call management node establishes said second call, by sending a second modified message to said second network node to re-allocate said first circuit, receiving a first signaling message from said second network node that said second network node has allocated a second circuit associated with said first circuit, and sending a first command to said account management node to allocate said second circuit, and wherein said call management node produces said second modified message by replacing said destination identification code, with said unique identification code (col. 8 lines 26-32).

Consider claim 12, De Trana et al teach wherein said call management node terminates said first call and said second call, by sending a third modified message to said second network

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node to dis-allocate said second circuit, sending a second command to said account management node to dis-allocate said second circuit, receiving a second signaling message from said second network node that said second network node has dis-allocated said first circuit, and sending a fourth modified message to said first network node to dis-allocate said first circuit, and wherein said call management node produces each of said third modified message and said fourth modified message, by replacing said destination identification code with said unique identification code (i.e., tear down connections) (col. 8 lines 1-9).

Consider claim 13, De Trana et al teach wherein said call management node establishes said second call, by sending a second modified message to said second network node to re-allocate said first circuit, receiving a first signaling message from said second network node that said second network node has allocated a second circuit associated with said first circuit, sending a third modified message to said first network node to allocate said second circuit, receiving a second message from said first network node that said first network node has allocated a third circuit associated with said second circuit, and sending a first command to said account management node to allocate said third circuit, and wherein said call management node produces each of said second modified message and said third modified message, by replacing said destination identification code with said unique identification code (i.e., connects caller to second link and put called party on hold) (col. 7 lines 47-54; col. 8 lines 26-32).

Consider claim 14, De Trana et al teach wherein said call management node terminates said first call and said second call, by sending a fourth modified message to said first network node to dis-allocate said third circuit, sending a second command to said account management node to dis-allocate said third circuit, receiving a third signaling message from said first network

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node that said first network node has dis-allocated said second circuit, sending a fifth modified message to said second network node to dis-allocate said second circuit, receiving a fourth signaling message from said second network node that said second network node has dis-allocated said first circuit, and sending a sixth modified message to said first network node to dis-allocate said first circuit, and wherein said call management node produces each of said fourth modified message, said fifth modified message and said sixth modified message, by replacing said destination identification code with said unique identification code (i.e., tear down connections) (col. 8 lines 1-9).

Consider claim 15, De Trana et al teach a network architecture for enabling a first network terminal which requests to establish a first call with a second network terminal over a first circuit, to increase a call-credit of a pre-paid account associated with said first network terminal, when said call-credit is approaching zero (col. 2 line 60 – col. 3 line 16), the network architecture comprising: a first network node connected to said first network terminal (col. 4 lines 34-35); a second network node connected to said second network terminal (col. 4 lines 35-36); an account management node connected to said first network node, said account management node managing said pre-paid account (col. 5 lines 26-30); and a call management node connected to said first network node via a first signaling link, to said second network node via a second signaling link, and to said account management node via a communication link (col. 5 lines 3-47), said call management node establishing a second call between said first network terminal and said account management node, for said first network terminal to increase said call-credit (col. 6 lines 6-30), said call management node terminating said second call when said call-credit is positive, and said call management node sending a first modified message to said second

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network node to allocate said first circuit, wherein said call management node produces said first modified message by replacing a point code associated with said first network node, with another point code associated with said call management node (col. 8 lines 50-67).

Consider claim 16, De Trana et al teach wherein said call management node detects that said first network terminal is a pre-paid terminal, according to an originating identification code associated with said first network terminal, wherein said call management node sends a first command to said account management node to check said call-credit (col. 6 lines 50-66), wherein said account management node detects that said call-credit is approaching zero, and wherein said account management node sends a second command to said call management node that said call-credit is approaching zero (col. 7 line 65 – col. 8 line 5).

Consider claim 17, De Trana et al teach wherein said call management node establishes said second call, by sending a second modified message to said second network node to allocate said first circuit, receiving a first signaling message from said second network node that said second network node has allocated a second circuit associated with said first circuit, and sending a first command to said account management node to allocate said second circuit (col. 8 lines 26-32), wherein said call management node terminates said second call, by sending a third modified message to said second network node to dis-allocate said second circuit, sending a second command to said account management node to dis-allocate said second circuit, receiving a second signaling message from said second network node that said second network node has dis-allocated said first circuit, and sending a fourth modified message to said first network node to dis-allocate said first circuit, and wherein said call management node produces each of said second modified message, said third modified message and said fourth modified message, by

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replacing said destination identification code with said unique identification code (col. 8 lines 1-9).

Consider claim 18, De Trana et al teach wherein said call management node establishes said second call, by sending a second modified message to said second network node to allocate said first circuit, receiving a first signaling message from said second network node that said second network node has allocated a second circuit associated with said first circuit, sending a third modified message to said first network node to allocate said second circuit, receiving a second message from said first network node that said first network node has allocated a third circuit associated with said second circuit, and sending a first command to said account management node to allocate said third circuit (col. 7 lines 47-54; col. 8 lines 26-32), wherein said call management node terminates said second call, by sending a fourth modified message to said first network node to dis-allocate said third circuit, sending a second command to said account management node to dis-allocate said third circuit, receiving a third signaling message from said first network node that said first network node has dis-allocated said second circuit, sending a fifth modified message to said second network node to dis-allocate said second circuit, receiving a fourth signaling message from said second network node that said second network node has dis-allocated said first circuit, and sending a sixth modified message to said first network node to dis-allocate said first circuit, and wherein said call management node produces each of said second modified message, said third modified message, said fourth modified message, said fifth modified message and said sixth modified message, by replacing said destination identification code with said unique identification code (col. 8 lines 1-9).

Consider claim 19, De Trana et al teach a method for enabling a first network terminal connected in a call with a second network terminal via a first circuit, to purchase calling time during the call (col. 2 line 60 – col. 3 line 16), the method comprising the procedures of: sending a first modified message to a network node associated with said first network terminal, for said network node to allocate a second circuit, for connecting said first network terminal with an account management node over said second circuit (col. 6 lines 6-14), whereby said network node notifies said first network terminal of a waiting call from said account management node (col. 6 lines 18-30); receiving a signaling message from said network node that said first network terminal has accepted said waiting call (col. 8 lines 24-26); sending a command to said account management node to initiate a pre-call procedure together with said first network terminal, over said second circuit (col. 8 lines 26-32), while said call at said network node over said first circuit, is on hold (col. 7 lines 47-54); receiving a second indication from said account management node that said pre-call procedure is complete (col. 8 lines 50-56); and sending a second modified message to said network node, for said network node to dis-allocate said second circuit, thereby enabling said first network terminal to resume said call with said second network terminal, over said first circuit (col. 8 lines 50-67).

Consider claim 20, De Trana et al teach the method further comprising a preliminary procedure of receiving an indication from said account management node, that a call-credit of said first network terminal in said call, is approaching zero (col. 7 lines 47-58).

Consider claim 21, De Trana et al teach the method further comprising a preliminary procedure of checking said call-credit (col. 7 lines 24-30).

Consider claim 22, De Trana et al teach wherein each of said first modified message and said second modified message is produced, by replacing a destination identification code respective of said second network terminal, with a unique identification code respective of said account management node (col. 8 lines 26-32).

Consider claim 23, De Trana et al teach wherein each of said first modified message and said second modified message is sent over a signaling link (col. 2 line 65 – col. 3 line 16).

Consider claim 24, De Trana et al teach wherein said command is sent over a communication link (col. 2 line 65 – col. 3 line 16).

Consider claim 25, De Trana et al teach wherein each of said first circuit and said second circuit is a circuit for transmitting voice (col. 4 lines 29-37).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over De Trana et al (6,856,674) in view of Coppage (6,741,687).

Consider claim 4, De Trana et al teach wherein said first network node sends a call waiting message to said first network terminal, following the receipt of said modified message by said first network node, to notify said first network terminal that said account management node is calling said first network terminal, and wherein said call waiting message comprises: an audio message (col. 6 lines 18-30). De Trana et al failed to further suggest wherein call waiting

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message comprises a graphical message and a textual message. However, Coppage suggested such (col. 9 lines 16-26). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Coppage into view of De Trana et al in order to provide warning message in various types of communication devices.

Allowable Subject Matter

5. Claims 26-47 are allowed.
6. Claim 8 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
8. Any response to this action should be mailed to:

Mail Stop ____ (explanation, e.g., Amendment or After-final, etc.)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Facsimile responses should be faxed to:
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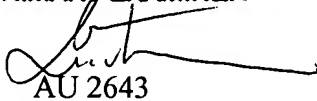
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(571) 272-7511**. The examiner can normally be reached on M, T, TH and SATURDAY from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(571) 272-7499**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(571) 272-2600**.

QUOCTRAN
PRIMARY EXAMINER



AU 2643

April 25, 2005